

## 4 Losing Your Privilege to Drive

The privilege to drive is often taken for granted, but you may lose this privilege for a variety of reasons. Motorists who repeatedly drive while drunk or with a suspended license, or who may pose a safety threat to themselves or others on the road due to a health condition, may be required to undergo a driver reexamination. This section provides information about the Secretary of State's Driver Assessment and Appeal Division, driver assessment reexaminations, how driving sanctions can affect your driver's license, the Graduated Driver Licensing program, probation, and post probation.

### Licensing Actions

#### Driver license restrictions, suspensions, and revocations

Your driver's license may be restricted, suspended, or revoked depending on the situation. With a restricted license, you may only drive under the terms and conditions listed on the restricted license. If your license is suspended, your driving privileges are taken away for a period of time, ranging from days to years. A revoked license means you have lost all driving privileges. With a revocation, you must wait one to five years before you are eligible to request a relicensure hearing.

#### Mandatory licensing actions required by state law

Michigan law requires the Secretary of State to automatically restrict, suspend, or revoke your driver's license for certain violations. For example, stealing motor fuel, reckless driving, drunken driving, and refusing to submit to a breath test will all result in mandatory restrictions, suspensions, or revocations.

## **Licensing actions imposed by the Secretary of State**

The Secretary of State Driver Assessment and Appeal Division may also impose driver's license restrictions, suspensions, and revocations after a driver assessment exam. The actions taken against your driver's license will depend on a number of factors, including the type of violation or unsafe driving behavior involved, your driving record, and your willingness to comply with assessment recommendations and requirements.

## **Driver Assessment Reexaminations**

The Secretary of State Driver Assessment and Appeal Division is responsible for conducting driver reexaminations as provided by the Michigan Vehicle Code. The Secretary of State may conduct a reexamination if there is reason to believe you are unable to operate a motor vehicle safely because of health reasons, crash involvement, or an unsatisfactory driving record. If you are under probation or Graduated Driver Licensing, you may be required to attend a driver reexamination after only one or two violations. The purpose of the driver reexamination is to discuss driving performance, determine the appropriate licensing controls to reduce driving risk associated with this performance, and encourage improvement. Licensing controls may include restrictions, suspensions, revocations, or a combination of these actions.

## **The Driver Assessment Reexamination Process**

The Driver Assessment reexamination process determines your ability to safely operate a vehicle and if any licensing controls should be imposed. The reexamination may be court ordered, or requested because of unsafe driving due to a suspected medical condition or risky driving behavior.

Michigan law allows for a driver reexamination based on one or more of the following criteria:

- The Secretary of State has reason to believe that you cannot drive safely due to a mental or physical condition.

- You have been involved in a fatal accident.
- You have been involved in three or more traffic accidents resulting in personal injury or property damage within the past two years.
- You have accumulated 12 or more points within a two-year period.
- You have been convicted of violating the restrictions, terms, or conditions of your license.

The reexamination process will require you to pass vision and knowledge tests and may require a road test. A medical statement may also be required for review. If you must attend a reexamination with a driver analyst, time will be provided for the analyst to review your record and discuss your driving behavior with you. If your license is restricted, suspended, or revoked, you will also be given your appeal rights and licensing reinstatement information.

## **Teen Drivers, Probationary Drivers, and Reexaminations**

Teen drivers under Graduated Driver Licensing (GDL) and drivers under probation may also be required to attend a driver assessment reexamination based on the violations posted to their driver records. Depending on the nature of the violation, a license may be restricted, or suspended for up to a year.

The parent or legal guardian of GDL drivers will be notified should their teen driver violate certain conditions of the GDL license. Any suspension action taken against a teen's GDL license may delay advancement to the next GDL level.

Licensing controls may also extend probation. Safe driving not only reduces the risk of a traffic crash or violation, but it helps ensure that a teen or new driver will successfully complete GDL or probation on time.

## **Losing your privilege to drive – a note for teens**

Michigan law deals harshly with teens that make bomb threats or file false reports about them. Teens convicted of

this serious felony face several sanctions, including delayed entry into driver education and loss of their driving privileges. There is no appeal granted under the law.

- Individuals younger than 14 years old who are unlicensed will be prohibited from taking any driver education until they are 16 years old and may not be issued their first graduated driver license until they are 17 years old.
- Individuals 14-to-20 years old who are unlicensed will be prohibited from taking any driver education and may not be issued a driver's license for three years from their conviction date.
- Individuals 14-to-20 years old who are licensed will have their driver's license suspended for one year, followed by a restricted license for up to two years.